

H. C. R. No. 183—Commending the famed "Lost Battalion" on the memorable occasion of their 27th Reunion.

H. C. R. No. 176—Commending Earl W. Adams, Superintendent, Henderson Public Schools.

H. C. R. No. 179—Commending Joseph (Joe) Zeppa of Tyler, Texas.

H. C. R. No. 181—Commending each of the Family Physicians participating in the "Family Physician of the Day" Program, and Miss Vera Taylor, Registered Nurse.

S. R. No. 1386—By Senators Harrington, Herring and Hightower: Extending commendation to Vernon T. Sanford for his distinguished service to the State of Texas and the profession of journalism.

S. R. No. 1387—By Senator Christie: Extending happy birthday wishes to Laurel Taylor.

S. R. No. 1388—By Senator Blanchard: Extending commendation to Mrs. Jose Luz Ramirez for the dedicated service she rendered to tornado victims of Lubbock. (Amended.)

S. R. No. 1393—By Senator Blanchard: Extending commendation to Mrs. Louise Massey, named "Texas' Outstanding Clubwoman of the Year" by the Texas Federation of Women's Clubs.

S. R. No. 1394—By Senator Herring: Extending congratulations to coaching staff and Reagan Raiders football team, National High School Football Championship for 1970.

S. R. No. 1395—By Senator Bernal: Extending congratulations to Jimmy W. Fisher, recipient of the National Freedoms Foundation Teachers Medal.

S. R. No. 1396—By Senator Hall: Designating Steven Robert Bigham and Charlotte Leah Bigham as Honorary Senate Pages.

S. R. No. 1399—By Senator Watson: Extending welcome to Dr. Bob Plunkett.

S. R. No. 1401—By Senator Herring: Extending welcome to classes from Lockhart Elementary School.

S. R. No. 1413—By Senator Hightower: Extending commendation to Mrs. Philip A. Carpenter and the Fed-

eration of Women's Clubs on their 75th Anniversary.

Adjournment

On motion of Senator Kennard the Senate at 5:40 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 27, 1971

S. B. No. 396

S. B. No. 948

S. B. No. 344

S. B. No. 838

S. B. No. 918

S. B. No. 969

S. B. No. 168

S. B. No. 709

S. B. No. 913

S. B. No. 549

S. B. No. 694

S. C. R. No. 123

SEVENTY-SEVENTH DAY

(Friday, May 28, 1971)

The Senate met at 10:00 o'clock a.m., and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Reverend Marshall Edwards, Minister of the Windsor Park Baptist Church, Austin, delivered the Invocation, as follows:

"Almighty God, we recognize that you are the Lord of the Universe. We thank you today for our great nation and state. Our prayer today is especially for these Senators who represent us. We pray that they would be aware of the trust we have placed in them and the heavy responsibility that they carry. Make their actions the result of conviction and not compromise. Help them to stand for what is right in spite of the odds they may face. Give them wisdom and understanding that comes only from you!"

On motion of Senator Aikin and by unanimous consent, the reading of the the proceedings of the Journal of yesterday was dispensed with and the Journal was approved.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 724, To Committee on Public Health.

Senate Concurrent Resolution 128

Senator Kennard offered the following resolution:

S. C. R. No. 128—Expressing admiration and extending congratulations to Joe Ruiz Grandee, the first Texas State Artist.

KENNARD
CREIGHTON

The resolution was read.

On motion of Senator Kennard, and by unanimous consent the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 28, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 246, A bill to be entitled "An Act relating to the rule-making

authority of the State Board of Dental Examiners; etc.; and declaring an emergency."

S. B. No. 265, A bill to be entitled "An Act amending the employers' liability and workmen's compensation laws of this state; etc.; and declaring an emergency."

(With amendment.)

S. B. No. 307, A bill to be entitled "An Act relating to the seizure of obscene materials and injunctive and other judicial proceedings concerning obscene materials and materials harmful to minors; etc., and declaring an emergency."

S. B. No. 400, A bill to be entitled "An Act relating to knowledge, experience, and instruction requirements for local recording agents and relating to license and renewal fees required of local recording agents and solicitors; amending Article 21.14, Texas Insurance Code; and declaring an emergency."

(With amendments.)

S. B. No. 572, A bill to be entitled "An Act amending Statutes relating to 'any person qualified for retirement pay under this Act, shall after attaining the age of sixty (60) years, be qualified for retirement but shall receive reduced benefits from age sixty-five (65) years for early retirement,' and declaring an emergency."

(With amendment.)

S. B. No. 989, A bill to be entitled "An Act relating to modifying the insurance coverage requirements of the Texas Motor Vehicle Safety—Responsibility Act and the amount of property damage necessitating a report, etc., and declaring an emergency."

(With amendments.)

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 56.

House Conferees: Murray, Nabers, Traeger, Jones of Taylor, Nugent of Kerr.

S. B. No. 749, A bill to be entitled "An Act providing for the preservation and enhancement of scenic beauty of lands bordering certain public

highways; and declaring an emergency."

(With amendment.)

S. B. No. 906, A bill to be entitled "An Act relating to reorganizing the 43rd Judicial District and creating the 235th Judicial District; etc., and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 281.

House Conferees: Daniel, Shannon, Traeger, Hale, Jungmichel.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Concurrent Resolution 129

Senator Herring offered the following resolution:

S. C. R. No. 129, Providing for the creation of an interim committee to study vacancy laws.

The resolution was read and was referred to the Committee on Administration.

Senate Bill 237 With House Amendment

Senator Patman called S. B. No. 237 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. 237 by changing the first sentence in Section 1 to read as follows:

"As compensation for the added duties hereby imposed upon them, members of the juvenile boards in Comal, Hays, and Caldwell Counties may each be allowed additional compensation of not more than \$300 per annum; members of the juvenile boards of Fayette and Austin Counties may each be allowed additional compensation of not more than \$1,200 per annum."

The House amendment was read.

Senator Patman moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

Absent

Bridges Wilson

Senate Bill 572 With House Amendment

Senator Moore called S. B. No. 572 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. 572 by striking all below the enacting clause and substituting the following:

Section 1. Section 2 of Chapter 99, Acts of the 51st Legislature, 1949 as amended (compiled as Section 2a of Articles 6228b, Title 109, Vernon' Texas Civil Statutes), is amended by adding a new section known as Section 2(d) to read as follows:

"Section 2(d) Any person qualified for retirement pay under this Act, shall after reaching the age of sixty (60) years, if he elects to receive retirement pay prior to reaching sixty-five (65) years of age, be qualified for retirement pay but shall have his benefits reduced from age sixty-five (65) years and his monthly base retirement payments shall be the following percent of the salary being received by a judge of a court of the same classification last served by such person as a judge, based upon his retirement age as follows:

If the retirement age is sixty (60) years, the percent shall be forty (40) per cent;

If the retirement age is sixty-one (61) years, the percent shall be forty-one and seven tenths (41.7) percent;

If the retirement age is sixty-two (62) years, the percent shall be forty-three and six tenths (43.6) percent;

If the retirement age is sixty-three (63) years, the percent shall be forty-five and six tenths (45.6) percent;

If the retirement age is sixty-four (64) years, the percent shall be forty-seven and seven tenths (47.7) percent;"

"Section 2(e). The reduced retirement benefits authorized by Section 1 hereof shall not apply if said judge retires as authorized by statute, or, is made to retire by the State Judicial Qualification Commission, because of physical or mental illness, but a judge so retiring or made to retire because of mental or physical illness, if he is eligible for retirement pay, shall, regardless of age, be paid retirement benefits on the basis of the percentages provided by Section 1 of Chapter 435, Acts of the 61st Legislature of Texas, 1969 and compiled as Section 2(a) of Article 6228b, Title 109, Vernon's Texas Civil Statutes."

Section 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Section 3. The fact that the judicial retirement acts of many sister states and the Retirement Acts of State Employees and Teachers of this state allow their members to take an early retirement at ages fifty-five (55) years and sixty (60) years makes it apparent that the inequity existing in the Judicial Retirement Act should be corrected and the Judges of this State accorded the same treatment in their Retirement Act as accorded to Judges of other States and State Employees and Teachers of this State, makes this legislation important, and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is

hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The House amendment was read.

Senator Moore moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Concurrent Resolution 130

Senator Watson offered the following resolution:

S. C. R. No. 130, Authorizing Senate Enrolling Clerk to make certain corrections in S. B. No. 396.

The resolution was read.

On motion of Senator Watson and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 755 With House Amendment

Senator Herring called S. B. No. 755 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend Senate Bill No. 755, First Printing, by substituting the following for Section 1 beginning on Line 27:

"Section 1. The judges of the District Courts of Travis County, Texas, shall each appoint an official shorthand reporter for his respective judicial district court or district court in the manner now provided for district courts in this State, who shall have the same qualifications and whose duties shall in every respect be the same as now provided by law, and whose salary shall be fixed and determined by the judges of the District Courts of Travis County, Texas, and approved by the Commissioners Court of Travis County, Texas, and shall be in addition to transcript fees, fees for statements of fact and all other fees, and shall not exceed Twenty Thousand Dollars per annum. Said salary, when so fixed and determined by the district judges of said respective courts, and approved by the Com-

missioners Court of Travis County, Texas, shall be paid monthly out of the General Fund or the Jury Fund, or any fund available for the purpose as may be determined by the Commissioners Court."

The House amendment was read.

Senator Herring moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Word
Hightower	

Absent

Bridges Wilson

Senate Resolution 1419

Senator Aikin offered the following resolution:

Whereas, It is a privilege and a pleasure for Members of the Texas Senate to honor one of our distinguished colleagues, Senator Glenn H. Kothmann of San Antonio, Bexar County, Texas, on the occasion of his 43rd birthday on May 30; and

Whereas, As a freshman Senator, he has gained the respect and esteem of his colleagues in the Upper House; prior to his election to the Senate, he served five terms as a Member of the House of Representatives; and

Whereas, Senator Kothmann is a graduate of Texas A&M University and his profession is in the field of Real Estate and Insurance in San Antonio; now, therefore, be it

Resolved, That the Senate of the 62nd Legislature take this opportunity to pay tribute to Senator Glenn H. Kothmann and to wish him a very happy birthday on May 30, and may

he have many more to follow; and be it further

Resolved, That a copy of this Resolution be prepared for him, under the official seal of the Senate, as a memento of this occasion.

AIKIN
BERNAL

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Word and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin the resolution was adopted.

Senate Bill 580 With House Amendment

Senator Kothmann called S. B. No. 580 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. 580 by striking all below the enacting clause and substituting the following:

"Section 1. Section 7, Article 1, Municipal Annexation Act (Article 970a, Vernon's Texas Civil Statutes), is amended by adding a new Subsection B-1 to read as follows:

"B-1. (a) It is against the public policy of this State and the policy and purposes of this Act for a city to annex any narrow strip of territory for the sole purpose of expanding the extraterritorial jurisdiction of the city to developed or developing areas otherwise beyond its extraterritorial jurisdiction. As used herein the term 'narrow strip of territory' shall mean any strip of land, publicly or privately owned, which is less than three hundred (300) feet in width at its greatest width and extends to or beyond one-half the extent of the city's

extraterritorial jurisdictional limits as established by Section 3, Article I of the Municipal Annexation Act, compiled as Section 3 of Article 970a, Vernon's Texas Civil Statutes.

"(b) All annexation proceedings initiated for the purpose of including the site of a state institution or facility within a city are hereby and in all respects validated as of the date of such proceedings.

"Sec. 2. The validating provisions of this Act shall not apply to any city or town now involved in litigation questioning the legality of the boundaries of such city or town.

"Sec. 3. The importance of this legislation and the crowded conditions of the calendars in both houses create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each house be suspended, and this Rule is hereby suspended and that this Act take effect and be enforced from and after its passage, and it is so enacted."

The House amendment was read.

Senator Kothmann moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 1008 With House Amendment

Senator Hall called S. B. No. 1008 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 1008 by renumbering Sections 142-145 as Sections 143-146 and inserting a new Section 142 to read as follows:

Sec. 142. Chapter 44, Acts of the 58th Legislature, 1963, as amended (Article 2338-17, Vernon's Texas Civil Statutes), is amended by adding a Section 5b to read as follows:

"Section 5b. The judge of the 42nd District Court and the Judge of the 104th District Court shall each receive as additional compensation for acting as a member of the Juvenile Board the sum of One Thousand, Five

Hundred Dollars (\$1,500) per year. The additional salary shall be paid monthly out of the General Fund of Taylor County on the order of the Commissioners Court."

The House amendment was read.

Senator Hall moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 768 With House Amendment

Senator Hall called S. B. No. 768 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend S. B. No. 768, Second Printing, as follows:

(1) Strike the quoted Subdivision (1) beginning on line 40 of page 1 and substitute the following:

"(1) 'board' means the Texas Board of Private Investigators and Private Security Agencies;"

(2) Renumber Sections 23 and 24, respectively, as Sections 24 and 25 and add a new Section 23 to read as follows:

"Sec. 23. Chapter 610, Acts of the 61st Legislature, 1969, is amended by adding a new Section 11A to read as follows:

"Section 11A. (a) In the conduct of any investigation conducted under the provisions of this Act, the board may issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records, and documents. The officer conducting a hearing may administer oaths and may require testimony or evidence to be given under oath.

"(b) No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he is properly examined by the officer conducting the hearing. Any person called upon to testify or to produce papers upon any matter properly under inquiry by the board, who refuses to so testify or produce papers upon the ground that his testimony or the production of papers would incriminate him or tend to incriminate him, shall nevertheless be required to testify or to produce papers, but

when so required under these objections he is not subject to indictment or prosecution for any transaction, matter, or thing concerning which he truthfully testifies or produces evidence.

"(c) If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the board, then the board may petition a district court of the county in which the hearing is held to compel the witness to obey the subpoena or to give the evidence. The court shall immediately issue process to the witness and shall hold a hearing on the petition as soon as possible. If the witness then refuses, without reasonable cause or legal grounds, to be examined or to give any evidence relevant to proper inquiry by the board, the court shall punish the witness for contempt."

The House amendment was read.

Senator Hall moved that the Senate concur in the House amendment.

The motion prevailed.

Senate Bill 1037 on Second Reading

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

S. B. No. 1937, A bill to be entitled "An Act amending the refund article of the Motor Fuel Tax Law to exclude the payment of tax refunds on motor fuel used in aircraft except that used for spraying purposes; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Votes

Senators Snelson and Hightower asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 1037 on Third Reading

Senator Creighton moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 1037 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Wallace
Hall	Watson
Harrington	Wilson
Harris	Word
Herring	

Nays—2

Hightower Snelson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Wallace
Hall	Watson
Harrington	Wilson
Harris	Word
Herring	

Nays—2

Hightower Snelson

Senate Bill 1040 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 1040, "A bill to be entitled "An Act to amend the Harris County Road Law, Acts 1913, Thirty-third Legislature, Special Laws, Chapter 17, page 64, as amended, by amending Section 31-C of said Harris County Road Law, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 1040 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 1040 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 1299 (Floor report).

By unanimous consent, Senator Hightower submitted the following reports for the Committee on Administration:

S. C. R. No. 101 (Floor report).

S. R. No. 1254 (Floor report).

S. R. No. 1339 (Floor report).

Committee Substitute Senate Bill 960 on Second Reading

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 960, A bill to be entitled "An Act relating to the certification for use of certain pressure vessels; providing for penalties for violations of the Act; and providing an effective date; and declaring an emergency."

The bill was read second time and passed to engrossment.

Committee Substitute Senate Bill 960 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 960 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 1042 on Second Reading

Senator Harrington asked unanimous consent to suspend the regular order of business and take up S. B. No. 1042 for consideration at this time.

There was objection.

Senator Harrington then moved to suspend the regular order of business and take up S. B. No. 1042 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Brooks	McKool
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Jordan	

Nays—6

Aikin	Moore
Bates	Sherman
Hightower	Snelson

Absent

Bridges	Christie
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The President Pro Tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 1042, A bill to be entitled "An Act amending Article 3, Chapter IX, the Texas Banking Code of 1943, as amended (Article 342-903, Vernon's Texas Civil Statutes), concerning the prohibition of branch banking; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Aikin, Sherman, Herring, Hightower, Creighton, Ratliff, Kennard, Blanchard and Moore asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

Senate Bill 1042 on Third Reading

Senator Harrington moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that S. B. No. 1042 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Brooks	Mauzy
Connally	McKool
Creighton	Patman
Grover	Ratliff
Hall	Schwartz
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Nays—5

Aikin	Sherman
Bates	Snelson
Moore	

Absent

Bridges	Christie
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The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Beckworth	Mauzy
Bernal	McKool
Brooks	Patman
Grover	Schwartz
Hall	Wallace
Harrington	Watson
Harris	Wilson
Jordan	Word
Kothmann	

Nays—12

Aikin	Hightower
Bates	Kennard
Blanchard	Moore
Connally	Ratliff
Creighton	Sherman
Herring	Snelson

Absent

Bridges	Christie
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House Bill 358 on Second Reading

On motion of Senator Hall and by unanimous consent, the regular order of business was suspended to take up

for consideration at this time on its second reading and passage to third reading:

H. B. No. 358, A bill to be entitled "An Act relating to the creation of the 199th Judicial District composed of Collin County; etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 358 on Third Reading

Senator Hall moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 358 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 749 With House Amendments

Senator Wallace called S. B. No. 749 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. No. 749 by striking all below the enacting clause and placing in lieu thereof the following:

Section 1. SHORT TITLE. This Act may be cited as the Highway Beautification Act.

Sec. 2. DEFINITIONS. In this Act, unless the context requires a different definition:

(a) "commission" means the Texas Highway Commission;

(b) "interstate system" means that portion of the national system of interstate and defense highways located within this State which now or hereafter may be designated officially by the commission and approved pursuant to Title 23, United States Code;

(c) "primary system" means that portion of connected main highways located within this State which now or hereafter may be designated officially by the commission and approved pursuant to Title 23, United States Code;

(d) "outdoor advertising" or "sign" includes any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended, or used to advertise or inform, if any part of the advertising or information contents is visible from any place on the main traveled way of the interstate or primary system;

(e) "junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, or wrecked automobiles or parts thereof, or iron, steel and other old or scrap ferrous, or nonferrous material;

(f) "automobile graveyard" means any establishment or place of business which is maintained, used or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts;

(g) "junkyard" means any establishment or place of business maintained, used or operated for storing, keeping, buying or selling junk, for processing scrap metal, or for the maintenance or operation of an automobile graveyard, including garbage dumps and sanitary fills; and

(h) "person" means any person, firm or corporation;

(i) "unzoned commercial or industrial areas" shall mean any area not designated by State or local law, regulation or ordinance which lies with-

in a distance of 800 feet, measured parallel to the center line of the adjacent highway in either direction from any commercial or industrial activity upon the primary system, as well as a parallel distance up to one half of the total allowed distance measured on the opposite side of such primary highway; and 2000 feet measured parallel to the center line of the adjacent highway in either direction from any commercial or industrial activity upon the Interstate highway system, as well as a parallel distance up to one half of the total allowed distance measured on the opposite side of such Interstate highway, and furthermore all land which lies within the corporate jurisdiction of an incorporated city or town and all land which lies in the extraterritorial jurisdiction of an incorporated city or town. A commercial or industrial activity for purposes of this definition shall include all land, buildings or other uses such as, without limiting the generality of the foregoing, parking lots, storage areas, driveways and landscaped areas which constitute an integral part of such activity. Provided, however, that it is the overriding intent of this Act, while asserting the rightful independence of this State to regulate land usage, within its borders, to ensure in all events against the withholding of any federal-aid highway funds from this State under the Highway Beautification Act of 1965 (Public Law 89-285). Accordingly, in the event that the Secretary of Transportation shall make a final determination that the terms of this definition are in noncompliance with said federal act, the Texas Highway Commission may promulgate such definition as is minimally necessary to avoid the loss of any such funds, which definition shall govern to the extent of any inconsistency between it and this definition until modified or superseded by further action by the Legislature, and shall be retroactively effective if and to the extent necessary to avoid any loss of funds.

(j) "zoned commercial or industrial area" shall mean an area within 660 feet of the nearest edge of the right of way of the Interstate and primary system zoned under authority of State law to permit industrial or commercial activities.

(k) "erect" means to construct, build, raise, assemble, place, affix, at-

tach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance or repair of a sign structure.

Sec. 3. PURPOSE. Subject to the availability of State funds, it is the desire and intent of the Legislature to comply with the Highway Beautification Act of 1965 (Public Law 89-285), as amended, as and to the extent that it may be implemented by Congress, and the Legislature declares that in order to promote the health, safety, welfare, morals, convenience and enjoyment of the traveling public and to protect the public investment in the interstate and primary highway system, it is necessary to regulate the erection and maintenance of outdoor advertising and the establishment, operation and maintenance of junkyards and automobile graveyards in areas adjacent to the interstate and primary systems. The landscaping and developing of recreational areas, acquisition of interests in and improvement of strips of land within, adjacent to or within view of the interstate or primary system, which are necessary for the restoration, preservation and enhancement of scenic beauty, and the development of publicly owned and controlled rest and sanitary facilities within or adjacent to the highway right-of-way are all means of protecting and providing for the general welfare of the traveling public and promoting the safety of all citizens utilizing the highways of this State.

Sec. 4. CONTROL OF OUTDOOR ADVERTISING

(a) No outdoor advertising may be erected or maintained which is within six hundred and sixty (660) feet of the nearest edge of the right-of-way except:

(1) directional and other official signs authorized by law, including signs pertinent to natural wonders and scenic and historical attractions;

(2) signs advertising the sale or lease of the property upon which they are located;

(3) signs advertising activities conducted on the property upon which they are located;

(4) signs located in and visible from areas in which the land use is designated industrial or commercial under authority of law, such areas to be determined from actual land uses and defined by regulations as defined herein;

(5) signs located in and visible from areas in which the land use is not designated industrial or commercial under authority of law but in which the land use is consistent with areas designated industrial or commercial, such areas to be determined from actual land uses and defined by regulation as defined herein;

(6) outdoor advertising and/or a sign or signs erected or located upon land or premises owned by any city, county, or political subdivision or unit of government of the State of Texas.

(b) The Commission may promulgate rules to regulate the orderly and effective display of outdoor advertising consistent with the customary use of outdoor advertising within this State under authority of law and in areas in which the land use is not designated industrial or commercial under authority of law but in which the land use is consistent with areas designated industrial or commercial, as provided for in Section 4(a) of this Act.

(c) The commission may enter into agreements with the Secretary of Transportation to regulate the orderly and effective display of outdoor advertising within this State in the areas described in Subsection (b) of this section.

(d) The commission is authorized to purchase or to acquire by eminent domain signs which are:

(1) lawfully in existence on the interstate or primary systems on the effective date of this Act; or

(2) lawfully in existence on any highway made a part of the interstate or primary systems after the effective date of this Act.

(e) The commission shall pay just compensation for:

(1) the taking from the owner of a sign of all right, title, leasehold and interest in the sign, except any sign erected after the effective date of this Act which is more than six hundred and sixty (660) feet from the nearest edge of the right-of-way.

(2) the taking from the owner or, if appropriate, the lessee of the real

property on which the sign is located of the right to erect and maintain the sign, except any sign erected after the effective date of this Act which is more than six hundred and sixty (660) feet from the nearest edge of the right-of-way.

Sec. 5. LICENSES.

(a) No person may erect or maintain a sign which is visible from the main traveled way of the interstate or primary systems until he has a license issued by the commission to do so.

(b) The commission shall issue a license to a person who:

(1) completes the application form specified by the commission within the time specified by the commission;

(2) pays the license fee of \$25; and

(3) files with the commission surety bonds in the amount of \$2,500 for each county in the State in which the person erects or maintains outdoor advertising, such bonds to be payable to the commission to reimburse it for removal costs of a sign the licensee unlawfully erects or maintains; provided, however, that no person shall be required to provide more than \$10,000 in surety bonds to comply with this subdivision.

(c) The commission may revoke or suspend a license issued under this section if the licensee:

(1) violates a provision of this Act; or

(2) violates a commission rule adopted under this Act.

(d) A person whose license is revoked or suspended may appeal the revocation or suspension to a district court in Travis County. The appeal must be taken within 15 days after the commission's action.

Sec. 6. PERMITS.

(a) Before a person with a license may erect or maintain a sign which is visible from the main traveled way of the interstate or primary systems, he must have a permit for each sign.

(b) The commission shall promulgate rules specifying:

(1) a reasonable fee for each permit;

(2) the time for and manner of applying for a permit and the form of the permit application; and

(3) the information that must be in a permit application.

(c) The commission shall issue a permit to every person with a license

whose license application complies with the rules of the commission adopted under Section 5 of this Act and whose sign, if erected, would comply with this Act and rules of the commission adopted under Section 4(b) of this Act.

(d) A permit issued to control the erection and maintenance of outdoor advertising by a political subdivision of this State within the jurisdiction of the political subdivision shall be accepted in lieu of the permit required by this section, provided that such erection and maintenance of outdoor advertising is in compliance with Section 5 of this Act and the rules of the commission adopted under Section 4(b) of this Act.

(e) The fees collected by the commission under this section and Section 5 of this Act shall be used by the commission in the administration of this Act.

(f) All monies paid to the commission under the provisions of this Act, shall be deposited in the Treasury of the State, and placed in a special fund to be known as the "Texas Highway Beautification Fund."

Sec. 7. EXCEPTIONS. Nothing in Sections 5 and 6 of this Act is to be construed to require any person to obtain a license or permit to erect or maintain any sign advertising the sale or lease of the property upon which it is located; nor is any person required to obtain a license or permit to erect or maintain any sign which relates solely to activities conducted on the property upon which the sign is erected or maintained.

Nothing in this Act shall apply to any sign or marker informing about the location of underground electric transmission lines, telegraph or telephone properties and facilities or pipelines; nor shall any license or permit be required under Sections 5 and 6 of this Act to authorize the erection, location or maintenance of any outdoor advertising and/or a sign or signs erected, located or maintained upon land or premises owned by any city, county or political subdivision or unit of government of the State of Texas notwithstanding any provisions hereof to the contrary.

Sec. 8. OFFICIAL SIGNS. The commission may designate and provide official signs which may be erected and maintained within the right-of-way at appropriate distances from interchanges and appropriate locations

on the interstate and primary systems giving specific information of interest to the traveling public, including specific brand names.

Sec. 9. CONTROL OF JUNKYARDS AND AUTOMOBILE GRAVEYARDS.

(a) No person shall establish, operate or maintain a junkyard or automobile graveyard any portion of which is within 1,000 feet of the nearest edge of the right-of-way of the interstate or primary systems, except:

(1) those screened by natural objects, plantings, fences or other appropriate means so as not to be visible from the main traveled way of the interstate or primary systems; or

(2) those located in areas which are zoned or unzoned industrial areas, such areas to be determined from actual land uses and denied by regulations established by the commission.

(b) The commission is authorized to screen, if possible, with natural objects, plantings, fences or other appropriate means any junkyard or automobile graveyard lawfully in existence if the junkyard or automobile graveyard lawfully in existence is within 1,000 feet of the nearest edge of the right-of-way of the interstate or primary system. The commission is authorized to acquire areas outside the highway right-of-way so that any junkyard or automobile graveyard may be screened from the main traveled way of the interstate or primary systems.

(c) The commission is authorized to promulgate rules and regulations governing the location, planting, construction and maintenance of the materials used in screening junkyards and automobile graveyards as required by this Act.

(d) If the commission determines that screening a junkyard or automobile graveyard is not feasible, the commission shall pay just compensation to:

(1) the owner of the junkyard or automobile graveyard for its relocation, removal or disposal; and

(2) the owner or, if appropriate, the lessee of the real property on which the junkyard or automobile graveyard is located for the taking of

the right to erect and maintain a junkyard or automobile graveyard.

(e) The commission shall compensate only those owners of junkyards or automobile graveyards and those owners or lessees of the real property on which the junkyards or automobile graveyards are located which are:

(1) lawfully in existence on the interstate or primary systems on the effective date of this Act; or

(2) lawfully in existence on any highway made a part of the interstate or primary systems after the effective date of this Act.

Sec. 10. LANDSCAPING AND SCENIC ENHANCEMENT.

(a) The commission is authorized to acquire, improve and maintain strips of land necessary for the restoration, preservation and enhancement of scenic beauty within, adjacent to or within view of any federal-aid highway in this State, including the acquisition and development of such rest and recreation areas and sanitary and other facilities within or adjacent to the highway right-of-way as are necessary to accommodate the traveling public.

(b) The interest in any land authorized to be acquired and maintained in this section may be the fee simple or any lesser interest, as determined necessary by the commission. The acquisition may be by gift, purchase, exchange or condemnation.

Sec. 11. POWERS OF ACQUISITION.

(a) The commission is authorized to acquire by gift, purchase, exchange or condemnation any land, or interest therein, any property or property right of any kind or character which it may deem necessary or convenient for the purpose of carrying out the provisions of this Act.

(b) Upon delivery to and acceptance by the commission of instruments conveying to the State of Texas any interests in lands, property or property rights deemed necessary or convenient by the commission to effectuate the purposes of this Act, the commission shall prepare and transmit to the Comptroller of Public Accounts vouchers covering the commission's costs in acquiring such interests in lands, property or property rights, and the Comptroller of Public Accounts is hereby authorized and

directed to issue warrants on the appropriate account covering the State's obligations as evidenced by such vouchers.

(c) Any land owned by the State of Texas or any agency or department thereof shall be controlled and shall be subject to the terms of this Act the same as though such land were in private ownership.

(d) The exercise of the powers of eminent domain authorized by this Act are the same as that authorized by Section 4, Chapter 300, Acts of the 55th Legislature, 1957 (Article 6674w-3, Vernon's Texas Civil Statutes).

Sec. 12. RECORDING; DISPOSAL OF SURPLUS PROPERTY.

(a) In the implementation of this Act all instruments conveying land or an interest in land to the State of Texas shall be recorded in the deed records of the county or counties wherein the land is situated. The State shall pay the fees for recording such instruments in the same manner as fees are paid for the recording of highway right-of-way instruments and in accordance with the laws of this State establishing fees to be charged by the county clerk for the recording of such instruments.

(b) Any land or interest in land acquired for the purpose of carrying out the provisions of this Act which becomes surplus and is, in the opinion of the State Highway Commission, no longer needed by the State for the purposes for which it was acquired or for highway purposes shall be disposed of in accordance with the provisions of Chapter 99, Acts of the 42nd Legislature, 1931, codified as Article 6673a, Vernon's Texas Civil Statutes, as amended.

Sec. 13. PENALTY. Any person who willfully violates any provision of this Act or willfully violates any rule or regulation promulgated by the commission in accordance with the requirements of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$25 nor more than \$200. Each day of such willful violation shall constitute a separate offense.

Sec. 14. GIFTS, GRANTS, OR DONATIONS. The Commission may accept gifts, grants or donations of personal property from any individual, group, association or corporation or the United States Government subject

to such limitations or conditions as may be provided by law and provided that gifts, grants or donations of money shall be deposited in the State Treasury and expended in accordance with the specific purpose for which given under such conditions as may be imposed by the donor and as provided by law.

Sec. 15. SEVERABILITY CLAUSE. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of the Act are declared to be severable.

Sec. 16. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the Rule is hereby suspended.

Amendment No. 2

Amend Committee Amendment No. 1 to S. B. 749 by striking all of the second paragraph of Section 7 of Committee Amendment No. 1 to S. B. 749 commencing on Line 30, Page 7, of Committee Amendment No. 1 to S. B. 749 and inserting in lieu thereof the following:

"Nothing in this Act shall apply to any sign or marker informing about the location of underground electric transmission lines, telegraph or telephone properties and facilities or pipelines or to any outdoor advertising and/or a sign or signs erected, located or maintained upon land or premises owned by any city, county or political subdivision or unit of government of the State of Texas notwithstanding any provisions hereof to the contrary."

Amendment No. 3

Amend Subdivision (1), Subsection (d), Section 4, of Committee Amendment No. 1 to Senate Bill No. 749, to read as follows:

(1) lawfully in existence on the interstate or primary systems on the effective date of this Act, except any outdoor advertising lawfully erected before the effective date of this Act

which by reason of changes to the designation of the highway or relocation of existing highways becomes non-conforming to this Act is not required to be removed before the fifth year after the effective date of this Act; or

Amendment No. 4

Amend Committee Amendment No. 1, Senate Bill No. 749, by striking the period and inserting a semicolon at the end of Subdivision (6), Subsection (a), Section 4 and adding to Subsection (a), Section 4 a new Subdivision (7) to read as follows:

(7) outdoor advertising which is in conformity with this Act and which was erected before the effective date of this Act.

Amendment No. 5

Amend the Committee Amendment to S. B. 749 by adding a new subsection to be known as Subsection 1A, to read as follows:

1A. The legal continuance of this act is contingent on the fulfillment by the Federal Government of their promise to pay to the State of Texas approximately twenty-five million dollars (\$25,000,000) in grants which would not have been made to this State had this bill not been passed.

Should such grants to this State, totalling at least seventy-five percent (75%) of the promised twenty-five million dollars (\$25,000,000), not be made on or before January 1, 1973, this bill shall be null and void.

The House amendments were read.

Senator Wallace moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on S. B. No. 749 before appointment.

There were no motions offered.

Accordingly, The President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Wallace, Brooks, Kennard, Schwartz and McKool.

**Senate Bill 989 With
House Amendment**

Senator Wallace called S. B. No. 989 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Amendment No. 1

Amend Senate Bill 989, Section 3, to read as follows:

"Sec. 3. Section 5, Texas Motor Vehicle Safety-Responsibility Act, as amended (Article 6701h, Vernon's Texas Civil Statutes), is amended to read as follows:

"(a) If twenty (20) days after the receipt of a report of a motor vehicle accident within this State which has resulted in bodily injury or death, or damage to the property of any one person of at least Two Hundred Fifty Dollars (\$250), the Department has made a finding of fault and does not have on file evidence satisfactory to it that the person who would otherwise be required to file security under Subsection (b) of this Section has been released from liability, or has been finally adjudicated not to be liable, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments with respect to all claims for injuries or damages resulting from the accident, the Department shall determine the amount of security which shall be sufficient in its judgment, and in no event less than Two Hundred Dollars (\$200) to satisfy any judgment or judgments for damages resulting from such accident as may be recovered against each operator or owner.

"(b) The Department shall, within sixty (60) days after the receipt of such report of a motor vehicle accident, subject to the provisions set out in (c) below, suspend the license and all registrations of each operator and owner of a motor vehicle found to be at fault in such accident and if such operator or owner is a non-resident the privilege of operating a motor vehicle within this State, and the privilege of the use within this State of any motor vehicle owned by him unless such operator, owner or operator and owner shall deposit security in the sum so determined by the Department and in no event less than

Two Hundred Dollars (\$200), and unless such operator and owner shall give proof of financial responsibility. It shall be the duty of the Department to make finding of fault, and for this purpose it may consider the report of the investigating officer, the accident reports of all parties involved and any affidavits of persons having knowledge of the facts. Notice of such determination by the Department shall be mailed by certified mail, return receipt requested, or served personally on such person to the affected operator's and owner's last known address as shown by the records of the Department. Proof of such mailing shall be deemed sufficient notice hereunder. The notice shall specify that the license to operate a motor vehicle and registration, or non-residence operating privilege if a non-resident, of the person so notified is subject to suspension and shall be suspended unless such person, within twenty (20) days after the mailing of such notice by the Department shall establish that the provisions of this Section are not applicable to him, and that he has previously furnished such information to the Department, or that he was not at fault in such accident. Such notice shall also recite therein that the person to whom such notice is addressed is entitled to a hearing as provided in this Act if a written request for a hearing is made within twenty (20) days after the mailing of said notice. Such person's license registration, or non-residence operating privilege will not be suspended pending the outcome of such hearing. If, after such hearing, the Department finds that such person was at fault in the accident, such person may appeal such finding as provided in Section 2(b). Upon the expiration of such twenty (20) day period without a request for a hearing having been made, the license registration or non-residence operating privilege of any person who does not within that time establish that the provisions of this Section are not applicable to him, shall be suspended unless and until such person shall comply with the provisions of this Act.

"Notice of such suspension shall be sent by the Department to such operator and owner not less than ten (10) days prior to the effective date of such suspension and shall state the amount required as security and the necessity for proof of financial responsibility. Where erroneous inform-

ation is given the Department with respect to the matters set forth in Subdivisions 2, 3, and 4 of Subsection (c) of this Section, it shall take appropriate action as hereinbefore provided, within sixty (60) days after receipt by it of correct information with respect to said matters.

"Determination of fault by the Department shall in no way affect the outcome of any civil suit for damages, nor shall such determination be introduced in evidence in any way in any such suit.

"(c) This Section shall not apply under the conditions stated in Section 6 nor:

"1. To the operator or owner of a motor vehicle whom the Department finds to be free from any fault for such accident;

"2. To such operator or owner if such owner had in effect at the time of such accident a motor vehicle liability policy with respect to the motor vehicle involved in such accident;

"3. To such operator, if not the owner of such motor vehicle, if there was in effect at the time of such accident a motor vehicle liability policy or bond with respect to his operation of motor vehicles not owned by him;

"4. To any person employed by the government of the United States, when such person is acting within the scope or office of his employment;

"5. To such operator or owner if the liability of such operator or owner for damages resulting from such accident is, in the judgment of the Department, covered by any other form of liability insurance policy or bond; nor

"6. To any person qualifying as a self-insurer under Section 34 of this Act, or to any person operating a motor vehicle for such self-insurer.

"No such policy or bond shall be effective under this Section or under Section 7 unless issued by an insurance company or surety company authorized to write motor vehicle liability insurance in this State, except that if such motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy, or the most recent renewal thereof, such policy or bond shall not be effective under this Section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing

the Department to accept service on its behalf of notice or process in any action upon such policy or bond arising out of such accident; providing, however, every such policy or bond is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs of not less than Ten Thousand Dollars (\$10,000) because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than Twenty Thousand Dollars (\$20,000) because of bodily injury to or death of two (2) or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than Five Thousand Dollars (\$5,000) because of injury to or destruction of property of others in any one accident. The policy or bond may exclude coverage of the first Two Hundred Fifty Dollars (\$250) of liability for bodily injury to or death of any one person in any one accident, and, subject to that exclusion for one person, may exclude coverage for the first Five Hundred Dollars (\$500) of liability for the bodily injury to or death of two (2) or more persons in any one accident and may exclude coverage for the first Two Hundred Fifty Dollars (\$250) of liability for the injury to or destruction of property of others in any one accident.

"7. Wherever the word 'bond' appears in this Section or this Act, it shall mean a bond filed with and approved by the Department of Public Safety.

"8. Fault as used herein for the purpose hereof shall mean a reasonable possibility of a judgment being rendered against an owner or operator as a result of the motor vehicle accident."

The House amendment was read.

Senator Wallace moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President Pro Tempore asked if there were any motions to instruct the Conference Committee on S. B. No. 989 before appointment.

There were no motions offered.

Accordingly, the President Pro Tempore announced the appointment by the President of the following conferees on the part of the Senate on the bill: Senators Wallace, Jordan, Brooks, Mauzy and McKool.

Senate Bill 265 With House Amendment

Senator Jordan called S. B. No. 265 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

Committee Amendment No. 1

Amend S. B. 265 by striking out of all of S. B. 265 below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 20, of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, is amended to read as follows:

"Section 20. Wherever the terms 'Injury' or 'Personal Injury' are used in the Workmen's Compensation Laws of this state, such terms shall be construed to mean damage or harm to the physical structure of the body and such diseases or infections as naturally result therefrom. The terms 'Injury' and 'Personal Injury' shall also be construed to mean and include 'Occupational Diseases,' as hereinafter defined. Whenever the term 'Occupational Disease' is used in the Workmen's Compensation Laws of this state, such term shall be construed to mean any disease arising out of and in the course of employment which causes damage or harm to the physical structure of the body and such other diseases or infections as naturally result therefrom. An 'Occupational Disease' shall also include damage or harm to the physical structure of the body occurring as the result of repetitious physical traumatic activities extending over a period of time and arising in the course of employment; provided, that the date of the cumulative injury shall be the date disability was caused thereby. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where such diseases follow as an incident to an Occupational

Disease or Injury as defined in this section."

"Section 2. Sections 25, 26 and 27 of Article 8306, Revised Civil Statutes of Texas, 1925, as amended, are hereby repealed."

"Section 3. As respects claims for injury sustained prior to the effective date of this act, no inchoate, vested, matured, existing or other rights, remedies, powers, duties, or authority, either of any employee or legal beneficiary, or of the Board, or of the association, or of any other person shall be in any way affected by any of the amendments or repeals herein made to the original law hereby amended or repealed, but all such rights, remedies, powers, duties and authority shall remain and be in force as under the original law just as if the amendments or repeals hereby adopted had never been made, and to that end it is hereby declared that as respects such injuries occurring prior to the effective date of this Act, said original law is not repealed, but the same is, and shall remain in full force and effect as to all such rights, remedies, powers, duties and authority; and further this Act insofar as it adopts the law of which it is an amendment is a continuation thereof, and only in other respects a new enactment."

"Section 4. If any section, paragraph or provision of this Act be declared unconstitutional or invalid for any reason, such holding shall not in any manner affect the remaining sections, paragraphs or provisions of this Act, but the same shall remain in full force and effect."

"Section 5. It is the express intent of the Legislature in enacting this Act that nothing contained in this Act shall ever be deemed or considered to limit or expand recovery in cases of mental trauma accompanied by physical trauma."

"Section 6. All laws or parts of laws in conflict herewith are expressly repealed to the extent of such conflict."

"Section 7. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby

suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The House amendment was read.

Senator Jordan moved that the Senate concur in the House amendment.

The motion prevailed.

Record of Vote

Senator Blanchard asked to be recorded as voting "Nay" on the motion to concur in House amendment to S. B. No. 265.

Report of Standing Committee

By unanimous consent, Senator Kennard submitted the following report for the Committee on Public Health:

H. B. No. 724 (Floor report).

Senate Concurrent Resolution 101
Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, S. C. R. No. 101 was ordered not printed.

Senate Resolution 1254 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, S. R. No. 1254 was ordered not printed.

Senate Resolution 1339 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, S. R. No. 1339 was ordered not printed.

Senate Concurrent Resolution 131

By unanimous consent, Senator Bernal offered the following resolution:

S. C. R. No. 131.—Congratulating Radio Station KBAT of San Antonio for thought-provoking editorial message.

The resolution was read.

On motion of Senator Bernal and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives

Austin, Texas,
May 28, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 792, A bill to be entitled "An Act defining the term 'eligible city'; authorizing each eligible city to issue revenue bonds for off-street and on-street parking purposes providing for the payment and security of said bonds, and liens, pledges, and encumbrances in connection therewith; providing for the additional pledge of taxes to the payment of said bonds and operation and maintenance expenses to the extent revenues are not available; providing for refunding bonds; enacting other provisions relating to the subject; prescribing a severability provision; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 1089 Re-Referred

On motion of Senator Bernal and by unanimous consent, H. B. No. 1089 was withdrawn from the Committee on State Affairs and re-referred to the Committee on County, District and Urban Affairs.

Senate Resolution 1424

By unanimous consent, Senator Hall offered the following resolution:

S. R. No. 1424, Requesting the Department of Agriculture to take necessary steps to obtain reciprocity agreements with those countries exporting beef to the United States.

The resolution was read and was adopted.

Senate Resolution 1425

By unanimous consent, Senator Schwartz offered the following resolution:

S. R. No. 1425, Providing for the recreation of the Interim Beach Study Committee to be known as Coastal Zone Study Committee Interim.

The resolution was read and was referred to the Committee on Administration.

Senate Concurrent Resolution 132

By unanimous consent, Senator Schwartz offered the following resolution:

S. C. R. No. 132, Providing for the creation of an interim committee to study the problems of coastal lands and waters of Texas.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

**House Concurrent Resolution 71 on
Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 71, Establishing a special interim committee to recodify Game and Related Laws of Texas.

The resolution was read.

On motion of Senator Schwartz the resolution was considered immediately and was adopted.

**Senate Concurrent Resolution 113 on
Second Reading**

On motion of Senator Snelson and by unanimous consent the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 113, Providing for the creation of an interim committee on Texas Energy Fuels.

The resolution was read.

On motion of Senator Snelson and by unanimous consent the resolution was considered immediately and was adopted.

**Conference Committee Report on
Senate Bill 357**

Senator Mauzy submitted the following Conference Committee Report:

Austin, Texas,
May 28, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No.

357, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

MAUZY
McKOOL
BERNAL
WALLACE

On the part of the Senate.

ATWELL
HULL
SPURLOCK
BRAECKLEIN
BOYLE

On the part of the House.

S. B. No. 357,

**A BILL
TO BE ENTITLED**

An Act relating to the salaries of purchasing agents in certain counties; amending Subsection (f), Section 1, Chapter 9, Special Laws, page 602, Acts of the 46th Legislature, 1939, as amended; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (f), Section 1, Chapter 9, Special Laws, page 602, Acts of the 46th Legislature, 1939, as amended by Section 1, Chapter 24, Acts of the 61st Legislature, 2nd Called Session, 1969, is amended to read as follows:

"(f) Such agent shall receive as compensation for his services a salary of not less than Five Thousand Dollars (\$5,000) nor more than Twenty-One Thousand Five Hundred Dollars (\$21,500) per year, payable in equal monthly installments. The salary of the county purchasing agent shall be paid out of the General Fund and/or the Road and Bridge Fund of such county by warrants drawn on the county treasurer and shall be set by the Board as designated in Section 1(a) of this Act."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Senate Joint Resolution 35 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 35, Proposing an amendment to Article III, Constitution of the State of Texas by adding a new section, authorizing an interest rate prescribed by the Parks and Wildlife Department on Texas Parks Development Bonds, subject to limitations imposed by the Legislature not to exceed six and one-half percent (6½%) weighted average annual interest.

The resolution was read second time and passed to engrossment.

Senate Joint Resolution 35 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 35 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Blanchard
Bates	Bridges
Beckworth	Brooks
Bernal	Christie

Connally	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff
Harrington	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Wallace
Jordan	Watson
Kennard	Wilson
Kothmann	Word

Nays—1

Mauzy

The President Pro Tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Nays—1

Mauzy

Senate Bill 1041 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 1041, A bill to be entitled "An Act amending Subchapter C, Chapter 23, Acts of the 61st Legislature, 2nd Called Session, 1969 (Article 199a, Vernon's Texas Civil Statutes) to provide for the creation of the 202nd Judicial District, to be composed of the County of Bowie; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 1041 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that S. B. No. 1041 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Bills and Resolutions Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. J. R. No. 29.

S. B. No. 887.

S. B. No. 953.

S. B. No. 442.

S. B. No. 513.

S. B. No. 902 (Again signed).

S. C. R. No. 8.

S. C. R. No. 64.

S. C. R. No. 118.

S. C. R. No. 108.

S. C. R. No. 96.

(Senator Aikin in Chair.)

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 792, To Committee on County, District and Urban Affairs.

Senate Concurrent Resolution 116 on Second Reading

On motion of Senator Connally and by unanimous consent, the regular order of business was suspended to take up for consideration:

S. C. R. No. 116, Creating an interim Rio Grande River Study Committee.

The resolution was read.

On motion of Senator Connally and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 129 on Second Reading

On motion of Senator Connally and by unanimous consent, the regular order of business was suspended to take up for consideration:

H. C. R. No. 129, Creating a special interim committee on vegetable marketing.

The resolution was read.

On motion of Senator Connally and by unanimous consent, the resolution was considered immediately and was adopted.

**House Concurrent Resolution 154 on
Second Reading**

On motion of Senator Harrington and by unanimous consent, the regular order of business was suspended to take up for consideration:

H. C. R. No. 154, Recommending continuation of the work of the Committee on Faculty Compensation in the area of college and university faculty fringe benefits.

The resolution was read.

On motion of Senator Harrington and by unanimous consent, the resolution was considered immediately and was adopted.

(President Pro Tempore in Chair).

**Senate Joint Resolution 57 on
Third Reading**

Senator Bernal moved to suspend the regular order of business and take up S. J. R. No. 57 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Christie	Schwartz
Hall	Snelson
Harrington	Wallace
Herring	Watson
Hightower	Wilson
Jordan	

Nays—8

Blanchard	Harris
Connally	Ratliff
Creighton	Sherman
Grover	Word

The President Pro Tempore laid before the Senate on its third reading and final passage:

S. J. R. No. 57, Proposing an amendment to Article III, Section 51-a, of the Texas Constitution; to authorize the Legislature to appropriate necessary funds for assistance grants for the needy aged, the needy disabled, the needy blind, and for needy dependent children and the caretakers of such children.

The resolution was read third time.

(President in Chair).

Question—Shall S. J. R. No. 57 be finally passed?

**Senate Concurrent Resolution 101 on
Second Reading**

On motion of Senator Wilson and by unanimous consent, the regular order of business was suspended to take up for consideration:

S. C. R. No. 101, Providing for the appointment of a special interim committee on Nursing Homes.

The resolution was read.

On motion of Senator Wilson and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Resolution 1254 on Second
Reading**

The President laid before the Senate:

S. R. No. 1254—Providing for the creation of an interim committee to study no-fault liability insurance.

The resolution was read and was adopted.

Record of Votes

Senators Creighton, Moore, Harris, Brooks and Wallace asked to be recorded as voting "Nay" on the adoption of the resolution.

Presentation of Guest

The President recognized Senator Kennard who presented as guests of the Senate today Joe Ruiz Grandee, Texas State Artist, and Mrs. Grandee.

Mr. Grandee addressed the Senate, expressing appreciation for his selection as the first Texas State Artist.

The Members of the Senate gave Mr. Grandee a standing ovation.

House Bill 1299 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, H. B. No. 1299 was ordered not printed.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption

had been read, the following enrolled bills and resolutions:

H. C. R. No. 48.
 H. C. R. No. 54.
 H. C. R. No. 57.
 H. C. R. No. 66.
 H. C. R. No. 101.
 H. C. R. No. 127.
 H. C. R. No. 159.
 H. C. R. No. 162.
 H. C. R. No. 165.
 H. C. R. No. 169.
 H. C. R. No. 170.
 H. B. No. 263.
 H. B. No. 1021.
 H. B. No. 1110.
 H. B. No. 1119.
 H. B. No. 1140.
 H. B. No. 1323.
 H. B. No. 1382.
 H. B. No. 1619.
 H. B. No. 1627.
 H. B. No. 1639.
 H. B. No. 1643.
 H. B. No. 1699.
 H. B. No. 1845.
 H. B. No. 1850.
 H. B. No. 139.
 H. J. R. No. 61.
 H. B. No. 1250.
 H. B. No. 1251.
 H. B. No. 1412.
 H. B. No. 199.

Senate Resolution 1427

Senator Word offered the following resolution:

S. R. No. 1427—Providing for the creation of an interim committee on Communications and Information.

The resolution was read and was referred to the Committee on Administration.

Senate Bill 400 With House Amendments

Senator Watson called S. B. No. 400 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. No. 400 by striking the word "exclusively" in Subsection (d), paragraph (7) and inserting in its place the word "primarily."

Amendment No. 2

Amend S. B. No. 400 by substituting the following language for the first sentence of subsection 7, section 2a, of Section 1 of the bill:

"To any person desiring to apply for a license to solicit and write policies of insurance and is restricted by contract to writing exclusively for a single insurance company or a single group of insurance companies under common management."

The House amendments were read.

Senator Watson moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S. B. No. 400 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Watson, Moore, Blanchard, Hightower and Harrington.

Recess

On motion of Senator Aikin the Senate at 12:15 o'clock p.m. took recess until 3:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 3:00 o'clock p.m. today.

Leave of Absence

Senator Hightower was granted leave of absence for the remainder of today on account of important business on motion of Senator Aikin.

Reports of Standing Committees

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

H. B. No. 1038.

By unanimous consent, Senator Hightower submitted the following report for the Committee on Administration:

H. B. No. 1067.

S. C. R. No. 129.

H. B. No. 234.

S. R. No. 1267.

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1316 (Floor report).

H. B. No. 1268 (Floor report).

H. B. No. 158 (Floor report).

By unanimous consent, Senator Word submitted the following report for the Committee on Legislative, Congressional and Judicial Districts:

C. S. H. B. No. 782 (Read first time).

By unanimous consent Senator Kennard submitted the following report for the Committee on Public Health:

H. B. No. 1756 (Floor report).

Senate Concurrent Resolution 133

By unanimous consent, Senator Snelson offered the following resolution:

S. C. R. No. 133, Creating a special committee on prospecting for minerals on state-owned land.

The resolution was read.

On motion of Senator Snelson and by unanimous consent, the resolution was considered immediately and was adopted.

Motion to Place**House Bill 138 on Second Reading**

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 138 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up H. B. No. 138 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—15

Bates	Herring
Beckworth	Kothmann
Bernal	Ratliff
Blanchard	Schwartz
Bridges	Snelson
Connally	Wilson
Hall	Word
Harrington	

Nays—15

Aikin	Mauzy
Brooks	McKool
Christie	Moore
Creighton	Patman
Grover	Sherman
Harris	Wallace
Jordan	Watson
Kennard	

Absent—Excused

Hightower

**Conference Committee on
House Joint Resolution 82**

Senator Kennard called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses of H. J. R. No. 82 and moved that the request be granted.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on H. J. R. No. 82 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Kennard, Brooks, Jordan, Bernal and Sherman.

Senate Bill 837 With House Amendments

Senator Kennard called S. B. No. 837 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. B. 837 by striking Section 1, and substituting in lieu thereof the following:

Section 1. Section 1, Chapter 497, Acts of the 54th Legislature, 1955, as amended (Article 5421c-7, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. Any tract of land belonging to the State, including all islands, salt and freshwater lakes, bays, inlets, marshes and reefs owned by the State within tidewater limits, and that part of the Gulf of Mexico within the jurisdiction of Texas, and all unsold surveyed public free school land and all rivers and channels belonging to the State and any lands sold with a reservation in favor of the State of minerals thereunder, shall be subject to prospect for all other minerals, except oil, gas, coal, lignite, sulphur, salt, and potash, shell, sand and gravel, and except uranium, and thorium, other fissionable materials, on any lands sold with a reservation in favor of the State of minerals thereunder, by any person, firm or corporation desiring to prospect same by the filing of an application with the Commissioner of the General Land Office, designating the area to be prospected, each such application shall be for an area not in excess of six hundred forty (640) acres with a ten percent (10%) tolerance for tracts, sections, and surveys that contain more than 640 acres. Such application must be accompanied by rental payment of not less than twenty-five cents (25¢) per acre."

Committee Amendment No. 2

Amend S. B. 837 by striking Sec. 3, Section 2, and substituting in lieu thereof the following:

"Section 2. The owner of the soil is hereby authorized to lease to any person, firm or corporation, the coal, lignite, sulphur, potash, uranium and thorium that may be thereon or there-

in, upon the lease forms prepared by the General Land Office. All of said minerals may be leased together or separately. For any lease so made and executed, the lessee shall pay to the State sixty percent (60%) of all bonuses agreed to be paid therefor, and sixty percent (60%) of all rentals and royalties payable thereunder, and the lessee shall pay to the owner of the soil forty percent (40%); provided that, in the event of production, the State shall receive not less than one-sixteenth (1/16th) of the value of said minerals so produced."

The House amendments were read.

Senator Kennard moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Hightower

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 28, 1971

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 127, Directing the Enrolling Clerk of the House to correct House Bill No. 156.

The House refused to concur in Senate amendments to House Bill No. 1567 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Conferees: Slider, Clayton, Pickens, Poerner, Golman.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 814.

Conferees: Harris, Neugent of Galveston, Braun, Nichols, Hubenak.

The House has concurred in Senate amendments to House Bill No. 1676 by vote of 131 Ayes, 0 Noes. 2 present not voting.

The House has concurred in Senate amendments to House Bill No. 780 by non-record vote.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee Report on Senate Bill 814

Senator Schwartz submitted the following Conference Committee Report:

Austin, Texas,
May 27, 1971.

Hon. Ben Barnes, President of the Senate.

Hon. Gus Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 814, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SCHWARTZ
MAUZY
WILSON
BERNAL
McKOOL

On the part of the Senate.

HARRIS
HUBENAK
NEUGENT
BRAUN
NICHOLS

On the part of the House.

S. B. No. 814:

A BILL TO BE ENTITLED

An Act relating to the salaries of certain officials in certain counties; amending Sections 2 and 3, Chapter 34, Acts of the 61st Legislature, 2nd Called Session, 1969 (Article

3912e-24, Vernon's Texas Civil Statutes); and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 1, Chapter 34, Acts of the 61st Legislature, 2nd Called Session, 1969 (Article 3912e-24, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 1. In any county having a population of not less than 160,000 nor more than 170,000, according to the last preceding Federal Census, the district clerk, the county clerk, the assessor and collector of taxes, and the sheriff shall be paid a salary of not less than \$15,000 per annum as determined by the Commissioners Court of such county."

Sec. 2. Section 2, Chapter 34, Acts of the 61st Legislature, Second Called Session, 1969 (Article 3912e-24, Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 2. In any county having a population of not less than 160,000 nor more than 170,000, according to the last preceding Federal Census, the chief deputy district clerk, the chief deputy county clerk, the chief deputy sheriff for the civil division and the chief deputy sheriff for the criminal division, and the chief deputy assessors and collectors of taxes shall be paid a salary of not more than \$14,000 per annum as determined by the commissioners court of such county.

Sec. 3. Section 3, Chapter 34, Acts of the 61st Legislature, Second Called Session, 1969 (Article 3912e-24, Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 3. In any county having a population of not less than 160,000 and not more than 170,000, according to the last preceding Federal Census, the Commissioners Court may employ and fix the number, as well as the salaries, of the deputies, administrative assistants, and clerks of any district, county, or precinct officer, including any member of the Commissioners Court, in an amount not to exceed \$14,000 per year."

Sec. 4. The effective date of this Act is September 1, 1971.

Sec. 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative pub-

lic necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended and that this Act take effect and be in full force from and after its passage, pursuant to the provisions herein, and it is so enacted.

The Conference Committee was read and was adopted.

House Bill 1351 on Second Reading

On motion of Senator Word and by unanimous consent the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1351, A bill to be entitled "An Act amending Statutes to provide for operation of a branch, center, or extension, as authorized by the board of trustees of a public junior college district; providing an effective date; and declaring an emergency."

The bill was read second time and passed to third reading.

(Senator Aikin in Chair.)

House Bill 1351 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Hightower

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Hightower

House Bill 1756 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1756, A bill to be entitled "An Act relating to the composition and terms of office of the Texas Board of Licensure for Nursing Home Administrators; etc.; and declaring an emergency."

The bill was read second time.

Senator Aikin offered the following amendment to the bill:

Amend H. B. 1756 by adding a new section to be known as subsection 9 of Section 1 to read as follows:

"All license fees shall be deposited in the State Treasury."

The amendment was read and was adopted.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 1756 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1756 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Blanchard	Moore
Bridges	Patman
Brooks	Ratliff
Christie	Schwartz
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Hall	Watson
Harrington	Wilson
Harris	Word

Nays—2

Herring	Mauzy
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Absent—Excused

Hightower

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Harris
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Sherman
Creighton	Snelson
Grover	Wallace
Hall	Watson
Harrington	Wilson

Nays—4

Herring	Schwartz
Mauzy	Word

Absent—Excused

Hightower

Conference Committee Report on House Joint Resolution 82

Senator Kennard submitted the following Conference Committee Report:

Austin, Texas,
May 28, 1971.

Hon Ben Barnes, President of the Senate.

Hon. G. F. "Gus" Mutscher, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on H. J. R. No. 82, have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

CLAYTON
JUNGMICHEL
PICKENS
DORAN
NILAND

On the part of the House.

KENNARD
BERNAL
SHERMAN
JORDAN
BROOKS

On the part of the Senate.

The Conference Committee Report was read and was adopted by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Hightower

Senate Concurrent Resolution 134

By unanimous consent, Senator Word offered the following resolution:

S. C. R. No. 134, Providing for the creation of an Interim Committee to

study uniform enforcement of certain provisions of Penal Code.

The resolution was read and was referred to the Committee on Administration.

Senate Resolution 1438

By unanimous consent, Senator Schwartz offered the following resolution:

S. R. No. 1438, Providing for the continuation of the Senate Committee on Rules as the Senate Interim Committee on Rules.

The resolution was read and was adopted.

House Joint Resolution 68 on Second Reading

On motion of Senator Brooks and by unanimous consent the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 68, Proposing an amendment to Article XVII, Section 1, Constitution of the State of Texas, revising provisions of the time and method of proposing amendments to the state constitution and the time and method of publishing notice of proposed amendments.

The resolution was read second time and passed to third reading.

House Joint Resolution 68 on Third Reading

Senator Brooks moved that the Constitutional Rule and Senate Rule 30 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hall
Bates	Harrington
Beckworth	Harris
Bernal	Herring
Blanchard	Jordan
Bridges	Kennard
Brooks	Kothmann
Christie	Mauzy
Connally	McKool
Creighton	Moore
Grover	Patman

Ratliff	Wallace
Schwartz	Watson
Sherman	Wilson
Snelson	Word

Absent—Excused

Hightower

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Hightower

Reports of Standing Committees

By unanimous consent, Senator McKool submitted the following report for the Committee on Privileges and Elections:

H. B. No. 559 (Amended).

By unanimous consent, Senator Herring submitted the following report for the Committee on Jurisprudence:

H. B. No. 903 (Floor report).

House Bill 559 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, H. B. No. 559 was ordered not printed.

House Bill 1316 Ordered Not Printed

On motion of Senator Wilson and by unanimous consent, H. B. No. 1316 was ordered not printed.

Senate Resolution 1439

Senator Schwartz offered the following resolution:

S. R. No. 1439—Commending the Daily Texan of The University of Texas.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 28, 1971

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 96, Proposing an amendment to Article III, of the Texas Constitution, adding a new Section 65 to establish a commission to set rules of ethics and rules for filing of financial statements for legislators and State officers and officers of the Legislature and to recommend improvements and economy in the Legislative process.

H. C. R. No. 188, Requesting the Governor to return House Bill No. 1644 to the House Enrolling and En-grossing Clerk.

H. C. R. No. 186, In memory of former Texas Supreme Court Associate Justice Clyde E. Smith.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 782 Ordered Not Printed

On motion of Senator Word and by unanimous consent, H. B. No. 782 was ordered not printed.

House Concurrent Resolution 188 on Second Reading

The Presiding Officer laid before the Senate:

H. C. R. No. 188, Requesting the Governor to return House Bill No. 1644 to the House Enrolling and En-grossing Clerk.

The resolution was read.

On motion of Senator Watson and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 186 on Second Reading

The Presiding Officer laid before the Senate:

H. C. R. No. 186, In memory of former Texas Supreme Court Associate Justice Clyde E. Smith.

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Gro-ver, Hall, Harrington, Harris, Her-ring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Blanchard and by unanimous consent, the names of the Lieutenant Governor and Sen-ators were added to the resolution as signers thereof.

On motion of Senator Wilson the resolution was adopted by a rising vote of the Senate.

Senate Joint Resolution 57 on Third Reading

The Senate resumed the considera-tion of the pending business, same being S. J. R. No. 57 on its third reading and final passage.

Question—Shall S. J. R. No. 57 be finally passed?

Senator Creighton offered the fol-lowing amendment to the resolution:

Amend S. J. R. No. 57 by striking out Sec. 1 and substituting therefor the following:

Sec. 1. That Article III, Section 51-a of the Texas Constitution be amended to read as follows:

§51-a. Assistance grants and medi-cal care for needy aged, disabled and blind persons, and needy children; federal funds; supplemental appro-priations.

Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medi-cal care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, pro-viding matching funds to help such families and individuals attain or re-tain capability for independence or

self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years;

(2) Needy individuals who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

(3) Needy blind persons;

(4) Needy dependent children and the caretakers of such children.

The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate.

The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in providing assistance to and/or medical care on behalf of needy persons, in providing rehabilitation and any other services included in the federal laws making matching funds available to help such families and individuals attain or retain capability for independence or self-care, to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of state funds for such purposes; provided that the maximum amount paid out of state funds to or on behalf of any needy person shall not exceed the amount that is matchable out of federal funds; provided that the total amount of such assistance payments only out of state funds on behalf of such individuals shall not exceed the amount of one hundred fifteen million dollars (\$115,000,000) during any fiscal year.

Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as

may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state.

The amendment was read and failed of adoption by the following vote:

Yeas—13

Aikin	Patman
Beckworth	Ratliff
Connally	Sherman
Creighton	Snelson
Grover	Watson
Hall	Word
Harris	

Nays—17

Bates	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Schwartz
Harrington	Wallace
Herring	Wilson
Jordan	

Absent—Excused

Hightower

Question—Shall S. J. R. No. 57 be finally passed?

House Resolution on First Reading

The following resolution received from the House, was read the first time and referred to the Committee indicated:

H. J. R. No. 96, To Committee on Constitutional Amendments.

Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report for the Committee on County, District and Urban Affairs:

H. B. No. 1089 (Floor report) (Amended).

House Bill 1089 Ordered Not Printed

On motion of Senator Hall and by unanimous consent, H. B. No. 1089 was ordered not printed.

Report of Standing Committee

By unanimous consent, Senator Kennard submitted the following report for the Committee on Public Health:

H. B. No. 166 (Amended).

Senate Resolution 1442

By unanimous consent, Senator Kennard offered the following resolution:

S. R. No. 1442, Providing for an Interim Committee to study drug use.

The resolution was read and was referred to the Committee on Administration.

Senate Resolution 1443

By unanimous consent, Senator Christie offered the following resolution:

S. R. No. 1443, Providing for the creation of an Interim Committee on Physical Fitness.

The resolution was read and was referred to the Committee on Administration.

Leave of Absence

Senator Blanchard was granted leave of absence for the remainder of today on account of important business on motion of Senator Creighton.

House Bill 979 on Second Reading

On motion of Senator Connally and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on

its second reading and passage to third reading:

H. B. No. 979, A bill to be entitled "An Act to amend Article 978f-3a, Section 1, Penal Code, increasing number of members on Parks and Wildlife Commission to nine (9) members; and declaring an emergency."

The bill was read second time and passed to third reading.

Record of Votes

Senators Kennard, Creighton, Harrington and McKool asked to be recorded as voting "Nay" on the passage of the bill to third reading.

Motion to Place House Bill 979 on Third Reading

Senator Connally moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 979 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—19

Aikin	Jordan
Bates	Kothmann
Beckworth	Moore
Bernal	Ratliff
Bridges	Schwartz
Brooks	Sherman
Christie	Snelson
Connally	Watson
Grover	Wilson
Harris	

Nays—8

Creighton	Mauzy
Harrington	McKool
Herring	Patman
Kennard	Wallace

Absent

Hall	Word
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Absent—Excused

Blanchard	Hightower
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Report of Standing Committee

By unanimous consent, Senator Aikin submitted the following report for the Committee on Administration:

S. R. No. 1442.

Senate Resolution 1442 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent, S. R. No. 1442 was ordered not printed.

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled bills and resolution:

- S. B. No. 580.
- S. B. No. 265.
- S. B. No. 1008.
- S. B. No. 357.
- S. B. No. 307.
- S. B. No. 755.
- S. B. No. 362.
- S. B. No. 748.
- S. B. No. 520.
- S. B. No. 246.
- S. B. No. 906.
- S. C. R. No. 9.

Recess

Senator Creighton moved that the Senate stand adjourned until 7:30 o'clock p.m. today.

Senator Mauzy made the substitute motion that the Senate take recess until 7:30 o'clock p.m. today.

Question first on the motion to adjourn, the motion to adjourn was lost.

Question recurring on the motion to take recess, the motion prevailed.

Accordingly, the Senate at 5:15 o'clock p.m. today took recess until 7:30 o'clock p.m. today.

After Recess

The Presiding Officer (Senator Aikin in Chair) called the Senate to order at 7:30 o'clock p.m. today.

Message From the House

Hall of the House of Representatives
Austin, Texas,
May 28, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 185, In memory of Mrs. Hilda B. Weinert.

H. C. R. No. 187, In memory of Julius Schepps.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 1444

Senator Kennard offered the following resolution:

S. R. No. 1444, Providing for an interim committee to study problems of locating and securing more land which could be set aside for parks, recreational and historical purposes.

The resolution was read and was referred to the Committee on Administration.

Report of Standing Committee

By unanimous consent, Senator Aikin submitted the following report for the Committee on Administration:

S. R. No. 1444.

Senate Resolution 1444 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent, S. R. No. 1444 was ordered not printed.

Senate Resolution 1444 on Second Reading

The Presiding Officer laid before the Senate:

S. R. No. 1444, Providing for an Interim Committee on Parks.

The resolution was read and was adopted.

Senate Resolution 1442 on Second Reading

The Presiding Officer laid before the Senate:

S. R. No. 1442, Providing for an Interim Committee on Drugs.

The resolution was read and was adopted.

Senate Resolution 1446

By unanimous consent, Senator Mauzy offered the following resolution:

S. R. No. 1446, Providing for the creation of an Interim Committee on Urban Education.

The resolution was read and was referred to the Committee on Administration.

Reports of Standing Committee

By unanimous consent, Senator Aikin submitted the following reports for the Committee on Administration:

- S. R. No. 1446 (Floor report).
- S. R. No. 1161 (Floor report).
- S. R. No. 1183 (Floor report).
- S. R. No. 1427 (Floor report).
- S. R. No. 1306 (Floor report).
- S. R. No. 1295 (Floor report).
- S. R. No. 1414 (Floor report).
- S. R. No. 1148 (Floor report).
- S. R. No. 1168 (Floor report).
- S. R. No. 1359 (Floor report).

Senate Resolution 1446 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, S. R. No. 1446 was ordered not printed.

Senate Resolution 1161 Ordered Not Printed

On motion of Senator McKool and by unanimous consent, S. R. No. 1161 was ordered not printed.

Senate Resolution 1183 Ordered Not Printed

On motion of Senator McKool and by unanimous consent, S. R. No. 1183 was ordered not printed.

Senate Resolution 1427 Ordered Not Printed

On motion of Senator Word and by unanimous consent, S. R. No. 1427 was ordered not printed.

Senate Resolution 1306 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, S. R. No. 1306 was ordered not printed.

Senate Resolution 1295 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent, S. R. No. 1295 was ordered not printed.

Senate Resolution 1414 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent, S. R. No. 1414 was ordered not printed.

Senate Resolution 1445

Senator Wallace offered the following resolution:

S. R. No. 1445, Providing for the creation of an Interim Committee to make a study of the problems of the eighteen to twenty-one year old voters.

The resolution was read and was referred to the Committee on Administration.

Reports of Standing Committee

By unanimous consent, Senator Aikin submitted the following reports for the Committee on Administration:

- S. R. No. 1290.
- S. R. No. 1291.
- S. R. No. 1296.
- S. R. No. 1307.
- C. S. S. R. No. 1292 (Read first time).
- S. R. No. 1445.

Senate Resolution 1290 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, S. R. No. 1290 was ordered not printed.

Senate Resolution 1291 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, S. R. No. 1291 was ordered not printed.

Senate Resolution 1296 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, S. R. No. 1296 was ordered not printed.

**Senate Resolution 1307 Ordered
Not Printed**

On motion of Senator Mauzy and by unanimous consent, S. R. No. 1307 was ordered not printed.

**Committee Substitute
Senate Resolution 1292 Ordered
Not Printed**

On motion of Senator Mauzy and by unanimous consent, C. S. S. R. No. 1292 was ordered not printed.

**Senate Joint Resolution 57 on
Third Reading**

The Senate resumed consideration of the pending business, same being S. J. R. No. 57 on its third reading and final passage.

Question—Shall S. J. R. No. 57 be finally passed?

**Senate Resolution 1446 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1446, Providing for the creation of an Interim Committee on Urban Education.

The resolution was read and was adopted.

**Senate Resolution 1161 on
Second Reading**

On motion of Senator McKool and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1161, Providing for the creation of an Election Law Study Committee.

The resolution was read and was adopted.

**House Concurrent Resolution 185
on Second Reading**

On motion of Senator Patman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 185, In memory of Mrs. Hilda B. Weinert.

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Chris-

tie, Connally, Creighton, Grover, Hall, Harrington, Harris, Herring, Hightower, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Patman, the resolution was adopted by a rising vote of the Senate.

**Senate Resolution 1267 on
Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1267, Providing for the creation of an Agricultural and Industrial Study Committee.

The resolution was read and was adopted.

Senate Concurrent Resolution 135

By unanimous consent, Senator Moore offered the following resolution:

S. C. R. No. 135, Providing for the creation of an Interim Committee on State and Local Tax Policy.

**MOORE
GROVER**

The resolution was read.

On motion of Senator Moore and by unanimous consent, the resolution was considered immediately and was adopted.

**Co-Author of
Senate Concurrent Resolution 135**

On motion of Senator Moore and by unanimous consent, Senator Grover will be shown as Co-Author of S. C. R. No. 135.

**Senate Resolution 1306 on
Second Reading**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1306, Providing for the creation of an Interim Committee to study aircraft owned by the State of Texas.

The resolution was read and was adopted.

**Senate Resolution 1295 on
Second Reading**

On motion of Senator Harrington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1295, Providing for an Interim Committee to study rising medical costs.

The resolution was read and was adopted.

**Senate Resolution 1414 on
Second Reading**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1414, Providing for an Interim Committee to study individual rights and the invasion of privacy.

The resolution was read and was adopted.

**Senate Concurrent Resolution 129 on
Second Reading**

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. C. R. No. 129, Providing for the creation of an Interim Committee to Study Vacancy Statutes.

The resolution was read.

On motion of Senator Herring and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Resolution 1148 Ordered
Not Printed**

On motion of Senator Brooks and by unanimous consent, S. R. No. 1148 was ordered not printed.

**Senate Resolution 1148 on
Second Reading**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1148, Providing for the continuation of the Senate Technical-Vocational Education Committee as the Senate Occupational Committee.

The resolution was read and was adopted.

**Senate Resolution 1168 Ordered
Not Printed**

On motion of Senator Sherman and by unanimous consent, S. R. No. 1168 was ordered not printed.

**Senate Resolution 1168 on
Second Reading**

On motion of Senator Sherman and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1168, Providing for the creation of an Interim Committee on Texas population distribution.

The resolution was read and was adopted.

**Senate Resolution 1359 Ordered
Not Printed**

On motion of Senator Wallace and by unanimous consent, S. R. No. 1359 was ordered not printed.

Report of Standing Committee

By unanimous consent, Senator Wilson submitted the following report for the Committee on Constitutional Amendments:

H. J. R. No. 13 (Floor report) (Amended).

**House Joint Resolution 13 Ordered
Not Printed**

On motion of Senator Brooks and by unanimous consent, H. J. R. No. 13 was ordered not printed.

House Bill 724 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 724, A bill to be entitled "An Act relating to the establishment of a state school in the Fort Worth-Dallas area for the mentally retarded; and declaring an emergency."

The bill was read second time and passed to third reading.

**Senate Resolution 1290 on
Second Reading**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1290, Providing for an Interim Committee to study retirement benefits to educational employees in Texas.

The resolution was read and was adopted.

**Senate Resolution 1359 on
Second Reading**

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1359, Providing for an Interim Committee on State Licensing Agencies.

The resolution was read and was adopted.

**Senate Resolution 1445 on
Second Reading**

On motion of Senator Wallace and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S. R. No. 1445, Providing for the creation of an Interim Committee to study problems of eighteen to twenty-one year old voters.

The resolution was read and was adopted.

**Senate Joint Resolution 57 on
Third Reading**

The Senate resumed consideration of the pending business, same being S. J. R. No. 57 on its third reading and final passage.

Question—Shall S. J. R. No. 57 be finally passed?

(President in Chair.)

Report of Standing Committee

By unanimous consent, Senator Creighton submitted the following report for the Committee on Water and Conservation:

H. B. No. 988 (Floor report).

House Bill 988 Ordered Not Printed

On motion of Senator Word and by unanimous consent, H. B. No. 988 was ordered not printed.

Leave of Absence

Senator Watson was granted leave of absence for the remainder of today on account of important business on motion of Senator Ratliff.

**Senate Joint Resolution 57 on
Third Reading**

The Senate resumed consideration of the pending business, same being S. J. R. No. 57 on its third reading and final passage.

Question—Shall S. J. R. No. 57 be finally passed?

On motion of Senator Bernal and by unanimous consent, the vote by which the amendment by Senator Creighton to S. J. R. No. 57 failed of adoption was reconsidered.

Question—Shall the amendment by Senator Creighton to S. J. R. No. 57 be adopted?

The amendment as printed on Page 1667 was adopted by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	McKool
Bridges	Moore
Brooks	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Wilson
Herring	Word

Nays—1

Mauzy

Absent

Christie

Absent—Excused

Blanchard

Watson

Hightower

On motion of Senator Bernal and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was finally passed by the following vote:

Yeas—21

Aikin	Kennard
Bates	Kothmann
Beckworth	Mauzy
Bernal	McKool
Bridges	Moore
Brooks	Patman
Connally	Schwartz
Hall	Snelson
Harrington	Wallace
Herring	Wilson
Jordan	

Nays—6

Creighton	Ratliff
Grover	Sherman
Harris	Word

Absent

Christie

Absent—Excused

Blanchard	Watson
Hightower	

**Committee Substitute
House Bill 782 on Second Reading**

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 782, A bill to be entitled "An Act relating to reapportionment of congressional districts; repealing Chapter 342, Acts of the 60th Legislature, Regular Session, 1967 (Article 197c, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 782 by striking Sections 4, 6, 7, 13, and 19 and substitute the following:

Section 4. District 3 is composed of that part of Dallas County included in census tracts: 153.01, 153.02, 152, 151, 150, 144, 141.04, 143, 141.03, 141.02, 141.01, 142, 145, 149, 146, 147, 148, 140.02, 137.03, 99, 100, 4.03, 72, 98, 97, 96.01, 140.01, 139, 137.01,

137.02, 138.02, 137.04, 138.01, 96.02, 95, 94, 73.02, 74, 76.01, 135, 96.03, 137.05, 136.01, 136.02, 136.03, 132, 96.04, 134.01, 134.02, 133, 76.02, 76.03, 76.04, 75.01, 75.02, 77, 73.01, 195.01, 71.02, 71.01, 6.01, 4.02, 4.01, 5, 18, 17.02, 16, 15.01, 22.01, 22.02, 31.02, 30, 33, 32.02, 32.01, 31.01, 21, 78.01, 131, 190.02, 190.03, 190.04, and 19.

Section 6. District 5 is composed of that part of Dallas County included in census tracts: 1, 2.01, 2.02, 3, 8, 9, 10, 11.01, 11.02, 12, 13.01, 13.02, 14, 15.02, 23, 24, 25, 26, 27.01, 27.02, 28, 29, 34, 35, 36, 37, 38, 39.01, 39.02, 40, 79.01, 79.02, 80, 81, 82, 83, 84, 85, 90.01, 90.02, 91.01, 91.02, 92.01, 92.02, 93.01, 93.02, 115, 116, 117, 118, 119, 120, 121, 122.01, 122.02, 123, 124, 125, 126, 127, 128, 129, 172, 175, 176.01, 176.02, 177, 178.01, 178.02, 179, 180, 181.01, 181.02, 181.03, 182, 183, 184, 186, 187, 188, 189, 190.01, 190.06, 190.07, 193.01, 193.02, 194, 195.02, 196, 197, 198, 6.02, 7.01, 7.02, 185.02, 185.01, 130.02, 130.01, 190.05, and 194.

Sec. 7. District 6 is composed of Johnson, Ellis, Hill, Navarro, Freestone, Leon, Madison, Brazos, Burleson, Grimes, Waller, and Austin Counties; that part of Dallas County included in census tracts 164, 165.05, 165.04, 166.04, 165.03, 166.01, 166.02, 166.03, 111.01, 111.02, 112, 113, 167.02, 168, 87.02, 114.01, 167.01, 87.01, 86, 169.01, 169.04, 114.02, 169.02, 169.03, 171, 170, and 173.01; and that part of Tarrant County included in census tracts 108.01, 108.02, 108.03, 109, 110.01, 52, 23.01, 23.02, 24.01, 24.02, 54.01, 54.02, 42.01, 28, 30, 43, 42.02, 55.01, 55.02, 55.03, 55.04, 57.01, 57.02, 110.02, 112.01, 113, and 115.03.

Sec. 13. District 12 is composed of that part of Tarrant County included in census tracts 141, 142, 67, 6, 107.01, 107.02, 51, 106.01, 106.02, 105, 7, 21, 22, 25, 26, 53, 27, 20, 8, 9, 10, 11, 17, 18, 19, 29, 31, 32, 33, 34, 40, 39, 38, 45.02, 45.03, 45.01, 59, 111.01, 46.05, 46.02, 46.03, 46.04, 46.01, 61.02, 61.01, 62, 63, 36.01, 36.02, 37.01, 37.02, 16, 35, 15, 14.02, 14.03, 13, 14.01, 65.02, 65.03, 65.04, 65.05, 131, 130, 65.01, 12.01, 12.02, 135.02, 136.02, 134.01, 134.02, 133.02, 133.01, 103, 1.01, 1.02, 3, 4, 5.02, 5.01, 104.02, 66, 104.01, 140.01, 140.02, 2.01, 2.02, 50.01, 50.02, 50.03, 49, 101, 102, 132.02, 132.01; 136.01; 135.01, 138, 137, 139, and 64.

Section 19. District 18 is composed of that part of Tarrant County in-

cluded in census tracts 41, 44, 48.01, 56, 48.02, 58, 47, 60.01, 60.02, 112.02, 60.03, 111.02, 114, 115.04, 115.02, 115.01, 216.03, 225, 226, 227, 224, 223, 228, 229, 221, 219, 220, 218, 217.02, 222, 217.01, 216.02, and 216.01; and that part of Dallas County included in census tracts 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 101, 102, 103, 104, 105, 106, 107, 108, 109, 112, 113, 114.01, 114.02, 86, 87.01, 87.02, 88, 89, 20, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59.01, 59.02, 60.01, 60.02, 61, 62, 63.01, 63.02, 64, 65, 66, 67, 68, 69 and 165.01.

The amendment was read.

Senator McKool offered the following substitute for the pending amendment to the bill:

Amend the Committee Substitute for House Bill No. 782 by striking Sections 4, 6, 7, 13, and 19 and substituting the following:

Sec. 4. District 3 is composed of that part of Dallas County included in census tracts 20, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59.01, 59.02, 60.01, 60.02, 61, 62, 63.01, 63.02, 64, 65, 67, 68, 69, 72, 86, 87.01, 87.02, 88, 89, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111.01, 111.02, 112, 113, 114.01, 114.02, 142, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153.01, 153.02, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165.01, 165.02, 165.03, 165.04, 165.05, 166.01, 166.02, 166.03, 166.04, 167.01, 167.02, 168, 169.01, 169.02, 169.04, 199 and that part of census tract 169.03, not included in District 6, and that part of census tract 144 east of Hardrock Road and that part of census tract 4.03 north and west of Burbank Street, and that part of census tract 100 north and west of Burbank Street.

Sec. 6. District 5 is composed of that part of Dallas County included in census tracts 2.01, 2.02, 3, 6.01, 7.02, 11.01, 11.02, 71.01, 73.01, 73.02, 74, 75.01, 75.02, 76.01, 76.02, 76.03, 76.04, 77, 78.01, 79.01, 79.02, 80, 81, 82, 94, 95, 96.01, 96.02, 96.03, 96.04, 97, 98, 99, 122.01, 122.02, 128, 129, 130.01, 130.02, 131, 132, 133, 134.01, 134.02, 135, 137.03, 139, 140.01, 140.02, 141.01, 141.02, 141.03, 141.04, 143, 193.01, 193.02, 194, 195.01, 195.02, 196, 197, 198, and that part of census tract 78.03 south of Forest Lane; and that part of census tract 144 west of Hardrock Road; and that part of Tarrant County included in census tracts 47, 48.02, 55.02, 56, 57.01, 57.02, 58, 60.01,

60.02, 60.03, 64, 111.02, 112.01, 112.02, 113, 114, 115.01, 115.02, 115.03, 115.04, 130, 216.01, 216.02, 216.03, 217.01, 217.02, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, and 229.

Sec. 7. District 6 is composed of Johnson, Ellis, Hill, Navarro, Freestone, Leon, Madison, Brazos, Burleson, Grimes, Waller, and Austin counties; that part of Tarrant County included in census tracts 23.02, 24.01, 24.02, 42.01, 42.02, 43, 44, 48.01, 52, 54.01, 54.02, 55.01, 55.03, 55.04, 108.01, 108.02, 108.03, 109, 110.01, 110.02 and that part of Dallas County included in census tracts 136.01, 136.02, 136.03, 137.01, 137.02, 137.04, 137.05, 138.01, 138.02, 190.01, 190.02, 190.06, 190.07, 191, 192.01, 192.02, 192.03, 192.04, 192.05, 192.06, 192.07; and that area in Dallas County not listed by census tract and east of a line

BEGINNING at the point where Interstate Highway 45 intersects the common line between Dallas County and Ellis County

THEN northwest along Interstate Highway 45 to Malloy Bridge Road

THEN generally northeast along Malloy Bridge Road to the East Fork of the Trinity River

THEN follow the northwest meanderings of the East Fork of the Trinity River to South Mesquite Creek

THEN following the north and northwest meanderings of South Mesquite Creek to Lawson Road

THEN northeast along Lawson Road to Berry Road

THEN northwest and north along Berry Road to T & P Railroad

THEN west along T & P Railroad to North Mesquite Creek

THEN following the northwest meanderings of North Mesquite Creek to Belt Line Road

THEN north along Belt Line Road to Interstate Highway 30

THEN northeast along Interstate Highway 30 to the east shore of Lake Ray Hubbard in Dallas County

THEN following the meanderings of the east shore of Lake Ray Hubbard in Dallas County to Missouri-Kansas-Texas Railroad

THEN northwest and west along Missouri-Kansas-Texas Railroad to Liberty Grove Road

THEN north, northeast along Liberty Grove Road to Merritt Road

THEN northeast and north along Liberty Grove Road to Pleasant Valley Road

THEN generally southwest along Pleasant Valley Road to Naaman School Road

THEN northwest along Naaman School Road to the Santa Fe Railroad

THEN north along the Santa Fe Railroad to the county line.

Sec. 13. District 12 is composed of that part of Tarrant County included in census tracts 1.01, 1.02, 2.01, 2.02, 3, 4, 5.01, 5.02, 6, 7, 8, 9, 10, 11, 12.01, 12.02, 13, 14.01, 14.02, 14.03, 15, 16, 17, 18, 19, 20, 21, 22, 23.01, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36.01, 36.02, 37.01, 37.02, 38, 39, 40, 41, 45.01, 45.02, 45.03, 46.01, 46.02, 46.03, 46.04, 46.05, 49, 50.01, 50.02, 50.03, 51, 53, 59, 61.01, 61.02, 62, 63, 65.01, 65.02, 65.03, 65.04, 65.05, 66, 67, 101, 102, 103, 104.01, 104.02, 105, 106.01, 106.02, 107.01, 107.02, 111.01, 131, 132.01, 132.02, 133.01, 133.02, 134.01, 134.02, 135.01, 135.02, 136.01, 136.02, 137, 138, 139, 140.01, 140.02, 141, and 142.

Sec. 19. District 18 is composed of that part of Dallas County included in census tracts 4.01, 4.02, 5, 6.02, 7.01, 8, 9, 10, 12, 13.01, 13.02, 14, 15.01, 15.02, 16, 17.01, 17.02, 18, 19, 21, 22.01, 22.02, 23, 24, 25, 26, 27.01, 27.02, 28, 29, 30, 31.01, 31.02, 32.01, 32.02, 33, 34, 35, 36, 37, 38, 39.01, 39.02, 40, 71.02, 78.02, 83, 84, 85, 90.01, 90.02, 91.01, 91.02, 92.01, 92.02, 93.01, 93.02, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 127, 171, 172, 173.01, 174, 175, 176.01, 176.02, 177, 178.01, 178.02, 179, 180, 182, 183, 184, 185.01, 185.02, 186, 187, 188, 189, 190.03, 190.04, and 190.05, and that part of census tract 78.03 north of Forest Lane; and that part of census tract 4.03 south and east of Burbank Street, and that part of census tract 100 south and east of Burbank Street and the Trinity River; and that part of Dallas County not listed by census tract and west of a line

BEGINNING at the point where Interstate Highway 45 intersects the common line between Dallas County and Ellis County

THEN northwest along Interstate Highway 45 to Malloy Bridge Road

THEN generally northeast along Malloy Bridge Road to the East Fork of the Trinity River

THEN follow the northwest meanderings of the East Fork of the

Trinity River to South Mesquite Creek

THEN following the north and northwest meanderings of South Mesquite Creek to Lawson Road

THEN northeast along Lawson Road to Berry Road

THEN northwest and north along Berry Road to T & P Railroad

THEN west along T & P Railroad to North Mesquite Creek

THEN following the northwest meanderings of North Mesquite Creek to Belt Line Road

THEN north along Belt Line Road to Interstate Highway 30

THEN northeast along Interstate Highway 30 to the east shore of Lake Ray Hubbard in Dallas County

THEN following the meanderings of the east shore of Lake Ray Hubbard in Dallas County to Missouri-Kansas-Texas Railroad

THEN northwest and west along Missouri-Kansas-Texas Railroad to Liberty Grove Road

THEN north, northeast along Liberty Grove Road to Merritt Road

THEN northeast and north along Liberty Grove Road to Pleasant Valley Road

THEN generally southwest along Pleasant Valley Road to Naaman School Road

THEN northwest along Naaman School Road to the Santa Fe Railroad.

The substitute for the pending amendment was read.

Senator Word moved to table the substitute for the pending amendment.

Question on the motion to table, "Yeas" and "Nays" were demanded.

The motion to table prevailed by the following vote:

Yeas—21

Aikin	Kennard
Bates	Kothmann
Beckworth	Moore
Bridges	Patman
Connally	Ratliff
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harris	Wilson
Herring	Word
Jordan	

Nays—5

Bernal	McKool
Harrington	Schwartz
Mauzy	

Present—Not Voting

Brooks

Absent

Christie

Absent—Excused

Blanchard	Watson
Hightower	

Senator Mauzy offered the following substitute for the pending amendment to the bill:

Amend House Bill 782 by striking Sections 4, 5, 6, 7, 13 and 19 and substituting the following:

Sec. 4. District 3 is composed of Ellis County, that part of Tarrant County included in census tract 130 and that part of Dallas County included in census tracts 20, 29, 35, 36, 37, 38, 39.01, 39.02, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 59.01, 59.02, 60.01, 60.02, 61, 62, 63.01, 63.02, 64, 65, 67, 68, 69, 86, 87.01, 87.02, 88, 89, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114.01, 114.02, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165.01, 165.03, 165.04, 165.05, 166.01, 166.02, 166.03, 166.04, 167.01, 167.02, 168, 169.01, 169.02, 169.03, 169.04, 199.

Sec. 5. District 4 is composed of Grayson, Fannin, Hunt, Rains, Van Zandt, and Smith counties.

Sec. 6. District 5 is composed of Kaufman County and that part of Dallas County included in census tracts 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7.01, 8, 9, 10, 11.01, 11.02, 12, 13.01, 13.02, 14, 15.01, 15.02, 16, 17.01, 17.02, 18, 19, 21, 22.01, 22.02, 23, 24, 25, 26, 27.01, 27.02, 28, 30, 31.01, 31.02, 33, 34, 83, 84, 85, 90.01, 90.02, 91.01, 91.02, 92.01, 92.02, 93.01, 93.02, 99, 100, 115, 116, 117, 118, 119, 120, 121, 126, 127, 144, 148, 149, 150, 151, 152, 153.01, 153.02, 170, 171, 172, 173.01, 173.02, 174, 175, 176.01, 176.02, 180, 181.01, 181.02, 181.03, 181.04, 182, 183, 184, 185.01, 186, 187, 188, 189, 190.01, 190.05, 190.06, 190.07.

Section 7. District 6 is composed of that part of Dallas County included in census tract 1, 2.01, 2.02, 3, 7.02, 71.01,

72, 73.01, 73.02, 74, 75.01, 75.02, 76.01, 76.02, 76.03, 76.04, 77, 78.01, 78.02, 78.03, 79.01, 79.02, 80, 81, 82, 94, 95, 96.01, 96.02, 96.03, 96.04, 97, 98, 122.01, 122.02, 123, 124, 125, 128, 129, 130.01, 130.02, 131, 132, 133, 134.01, 134.02, 135, 136.01, 136.02, 136.03, 137.01, 137.02, 137.03, 137.04, 137.05, 138.01, 138.02, 139, 140.01, 140.02, 141.01, 141.02, 141.03, 141.04, 142, 143, 145, 146, 147, 149, 185.02, 190.02, 190.03, 190.04, 191, 192.01, 192.02, 192.03, 192.04, 192.05, 192.06, 192.07, 193.01, 193.02, 194, 195.01, 195.02, 196, 197, 198.

Section 13. District 12 is composed of that part of Tarrant County included in census tracts 1.01, 1.02, 2.01, 2.02, 3, 4, 5.01, 5.02, 6, 7, 8, 9, 10, 11, 12.01, 12.02, 14.01, 15, 16, 17, 18, 19, 20, 21, 22, 23.01, 24.01, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 42.01, 43, 49, 50.01, 50.02, 50.03, 51, 52, 53, 54.01, 65.01, 65.02, 65.03, 65.04, 65.05, 66, 67, 101, 102, 103, 104.01, 104.02, 105, 106.01, 106.02, 107.01, 107.02, 108.01, 108.02, 131, 132.01, 132.02, 133.01, 133.02, 134.01, 134.02, 135.01, 135.02, 136.01, 136.02, 137, 138, 139, 140.01, 140.02, 141, 142, 216.01, 216.02, 217.01, 217.02, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229.

Sec. 19. District 18 is composed of that part of Tarrant County included in census tracts 13, 14.02, 14.03, 23.02, 24.02, 36.01, 36.02, 37.01, 37.02, 39, 40, 41, 42.02, 44, 45.01, 45.02, 45.03, 46.01, 46.02, 46.03, 46.04, 46.05, 47, 48.01, 48.02, 54.02, 55.01, 55.02, 55.03, 55.04, 56, 57.01, 57.02, 58, 59, 60.01, 60.02, 60.03, 61.01, 61.02, 62, 63, 64, 108.03, 109, 110.01, 110.02, 111.01, 111.02, 112.01, 112.02, 113, 114, 115.01, 115.02, 115.03, 115.04, 216.03, and Johnson, Parker, Wise, Denton, Collin and Rockwall counties.

The amendment was read.

On motion of Senator Word the substitute for the amendment was tabled.

Record of Votes

Senators Mauzy, Kennard, Creighton and Bernal asked to be recorded as voting "Nay" on the motion to table the substitute for the amendment.

Question on the adoption of the amendment by Senator Word, the amendment was adopted.

Record of Votes

Senators McKool, Schwartz, Mauzy, Bernal, Creighton and Kennard asked to be recorded as voting "Nay" on the adoption of the amendment.

On motion of Senator Word and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

Record of Votes

Senators McKool, Mauzy, Schwartz, Harris, Bernal, Sherman, Grover and Kennard asked to be recorded as voting "Nay" on the passage of the bill to third reading.

House Bill 782 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 782 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Moore
Bridges	Patman
Brooks	Ratliff
Christie	Sherman
Connally	Snelson
Creighton	Wallace
Hall	Wilson
Harrington	Word
Herring	

Nays—5

Grover	McKool
Harris	Schwartz
Mauzy	

Absent—Excused

Blanchard	Watson
Hightower	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senator Mauzy, Creighton, McKool, Schwartz, Sherman, Harris, Bernal, Kennard and Grover asked to be recorded as voting "Nay" on the final passage of the bill.

Report of Standing Committee

By unanimous consent, Senator Aikin submitted the following report for the Committee on Administration:

S. R. No. 1443 (Floor report).

Senate Resolution 1443 Ordered Not Printed

On motion of Senator Christie and by unanimous consent, S. R. No. 1443 was ordered not printed.

Memorial Resolutions

H. C. R. No. 187—Memorial resolution for Julius Schepps.

S. R. No. 1418—By Senators Hall, Mauzy, McKool, and Harris: Memorial resolution for Julius Schepps.

Welcome and Congratulatory Resolutions

S. R. No. 1415—By Senator Sherman: Extending congratulations to Miss Brenda Box, named as first runner-up in the 20th annual Miss USA Beauty Pageant.

S. R. No. 1416—By Senator Sherman: Extending congratulations to the Ochiltree Soil and Water Conservation District on being chosen the Outstanding Soil and Conservation District in Texas for 1971.

S. R. No. 1417—By Senator Sherman: Extending congratulations to Miss Clara T. Hammond for the excellent work she has done in compiling "Amarillo," a new book.

S. R. No. 1420—By Senators Jordan, Harrington, Bernal, Bates, Mauzy, McKool, Kennard, Schwartz, Wallace and Kothmann—Extending appreciation and admiration to H. J. (Hank) Brown for his many years of faithful service to the working men and women of Texas.

S. R. No. 1421—By Senators Schwartz, Bernal and Jordan: Extending commendation to the University of Texas at Austin School of Law for

participating with the American Bar and American Association of Law Schools to promote the education of lawyers from minority groups in our society.

S. R. No. 1422—By Senator Herring: Extending welcome to students from Dill Elementary School.

S. R. No. 1423—By Senator Herring: Extending welcome to students from Kealing Junior High School.

S. R. No. 1426—By Senator Aikin: Extending welcome to the Honorable and Mrs. Tom Lorance, Jr.

S. R. No. 1428—By Senator Wilson: Extending commendation to Jacksonville Junior High Choir.

S. R. No. 1429—By Senator Wilson: Extending commendation to Staff Sergeant Joe T. Moore, awarded Soldiers Medal for Heroism.

S. R. No. 1430—By Senator Wilson: Extending congratulations to Gary Ashlock, "Henderson County Coach of The Year."

S. R. No. 1431—By Senator Watson: Extending welcome to W. A. Prewitt, Jr., et al.

S. R. No. 1432—By Senator Watson: Extending welcome to Jim Horn.

S. R. No. 1433—By Senator Watson: Extending welcome to Chris Jones.

S. R. No. 1434—By Senator Watson: Extending welcome to Dr. L. M. Morton, et al.

S. R. No. 1435—By Senator Watson: Extending welcome to Mr. and Mrs. Philip L. Griffith.

S. R. No. 1436—By Senator Watson: Extending welcome to Ace Alsup.

S. R. No. 1437—By Senators Harrington and Herring: Extending commendation to Commissioner John C. White for his significant efforts and contributions in the field of agriculture. (Amended).

S. R. No. 1440—By Senator Schwartz: Extending welcome to Wayne Lampert.

S. R. No. 1441—By Senator Watson: Extending welcome to John McDowell, et al.

Recess

On motion of Senator Aikin the Senate at 10:10 o'clock p.m. took recess until 9:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

May 28, 1971

S. B. No. 953.
S. B. No. 442.
S. B. No. 513.
S. B. No. 887.
S. B. No. 902 (Again Sent)
S. C. R. No. 108.
S. C. R. No. 96.
S. C. R. No. 64.
S. C. R. No. 118.
S. C. R. No. 8.

Sent to Secretary of State

S. J. R. No. 29.

SEVENTY-SEVENTH DAY

(Continued)

(Saturday, May 29, 1971)

After Recess

The Senate met at 9:30 o'clock a.m., and was called to order by Senator Aikin.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.